

1
2
3
4
5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 Kangaroo Manufacturing Incorporated,) No. CV-17-01806-PHX-SPL
9)
10 Plaintiff,) **ORDER**
11 vs.)
12 Amazon.com Incorporated,)
13 Defendant.)
14

15 Having reviewed the parties' stipulation,

16 **IT IS ORDERED** that the Stipulation to Dismiss Allegations/Claims (Doc. 76) is
17 **granted;**

18 **IT IS FURTHER ORDERED** that the following allegations and/or claims set
19 forth in Plaintiff's complaint are **dismissed with prejudice:**

- 20 1. Paragraphs 91-96 of Count IV (Improper Control of Sales Prices by
21 Amazon);
22 2. Paragraphs 97-100 of Count IV (Improper Storage and Fulfillment Fees by
23 Amazon);
24 3. Paragraph 103, subparagraph (a) of Count V (Overcharging for Storage and
25 Fulfillment);
26 4. Paragraph 103, subparagraph (c) of Count V (Miss-assigning the UPC code
27 and PDP control and diverting sales from Plaintiff's authorized resellers
28 while continuing to receive fees on the unauthorized sales);

